

## NESS GETS DECISION IN COURTHOUSE CASE

**Supreme Court Reverses Appellate Tribunal On Noted Marshall County Legal Contest—This Is The Sixth Opinion Given By Judges.**

Late Friday afternoon the Indiana Supreme court reversed the former decisions that had been made in the noted Marshall county courthouse case in favor of contractor O'Keefe, and in effect rendered a decision in favor of the contents of J. S. Ness.

County Clerk Ed Kitch received the following instructions from the clerk of the Supreme court:

In the case of Jacob S. Ness vs. The Board of Commissioners of Marshall county, appealed from the Marshall Circuit court.

To the clerk of the Circuit court of said county, greeting:

You are hereby notified that the Supreme court of said State has on this day reversed the judgment of the court below in the above entitled case.

J. Fred France, Clerk Supreme court.

This is the sixth time there has been a decision on this important case. The first was by Sam Parker as special judge, and was in favor of Ness. The second was by Judge Lairy as special judge and reversed the decision of Judge Parker, giving an opinion in favor of O'Keefe.

Then the case went to the Appellate court, where Lairy's opinion was reversed and a decision given in favor of Ness. On a rehearing the court reversed itself and gave a second opinion in favor of O'Keefe. On another petition for rehearing the Appellate court gave another opinion dividing its second opinion about "alf and 'alf."

The net result of the Appellate court decisions was in favor of O'Keefe decidedly. Now, on a petition to transfer the case to the Supreme court from the Appellate court, made by Ness, the Supreme court say that the decisions of the Appellate court are not right, and their decision is reversed. In effect they say that Judge Parker's decision was right.

### WILDERNESS SCHOOL.

**Last Day Finds 130 Patrons Attending—Lecture by Rev. Hays—Best Dinner Ever Served.**

The last day of the Wilderness school for the year occurred Friday, and is said by the patrons to be the best occasion ever had in this district. About 130 patrons and students were present, all but twenty of these being the patrons.

Rev. Mr. Hays of Argos delivered a splendid lecture, which was interspersed with witty and humorous stories that greatly delighted everyone. County Superintendent Steinebach was there, of course—he always hits the big dinners. He said he was sure the people of the Wilderness district did not need any education on the subject of domestic science; they knew all there was to be known about it. The patrons declared him to be a good judge.

Delightful music was made for the occasion by Mrs. B. M. Seybold, Mrs. Pansie Peterson, and the Misses Faye and Lela Hess, the three sisters playing the cornet, violin and flute.

The dinner, which all declared to be the best they ever served at the Wilderness, was one of the chief attractions of the day. The weather helped make the whole time a most happy one. Not the least of the actions of the day was a petition of the patrons for the return of Mr. Henry White as teacher at the Wilderness for another year. Mr. White has been here for seven years, and the people of the district think they have the best teacher to be found. Trustee Richards was unable to be present.

Charles F. Maule of Cincinnati, representative of the Gamewell Fire Alarm system, is in the city figuring with the Council with a view to getting an alarm installed here. The council will meet again this evening to hear further of the business.

### REUNION OF 29TH.

**Company Entertained By Mr. and Mrs. Frank Cullison—Those Who Enjoyed the Occasion.**

The remaining boys of the 29th Ind. spent Monday evening with Mrs. Loyal Burch, wife of an old comrade, at the home of her daughter, Mrs. Frank Cullison, on north Michigan street. The usual relating of war experiences and singing of old songs together with some songs by the children was enjoyed by all present. The house was decorated with flags and bunting and a two course lunch was served. Those present were Mrs. Mary Burch, Mr. and Mrs. Windbigler and daughter Inez, Mr. and Mrs. Sylvester Lovell, Mr. and Mrs. Sim Wilson, Mr. and Mrs. George Baxter, Mr. Force, Mrs. Houghton, Mr. and Mrs. James Cook and children, Louis Swinderman, Mr. and Mrs. Chas. Seltenright Mr. and Mrs. Frank Cullison and children, Mrs. Florence Swinderman and children, Mrs. Olive Kanarr and son Loyal, Mr. and Mrs. William Helms, son Flint and daughter Leona and the Misses Thelma Burch and Fern Reich of Plymouth; Josiah Grover of North township and Mr. and Mrs. James Vinnege of Zion City, Ill. Mr. Vinnege brought with him a large picture of the battle of Shiloh which was placed on the wall and draped with bunting especially for the occasion. Mrs. Vinnege is a sister of Loyal Burch. The company departed at a late hour hoping they might all be spared to enjoy another meeting in the same way.

### MARRIAGES.

**Widner-Babcock.**  
On Monday evening at five o'clock Mr. William Z. Widner of Michigan City and Miss Mary A. Babcock of Tippecanoe were united in marriage. Rev. S. A. Mow performed the ceremony at the Presbyterian manse, Rev. Mr. Logan being out of the city.

**Zehner-Greenlee.**  
At the home of and by Rev. S. H. Yager, on Saturday, April 6, Mr. Clarence L. Zehner and Miss Bertha A. Greenlee were united in the holy bonds of matrimony. Both young people are residents of Green township, Mr. Zehner being a school teacher who has "made good" in the profession for the past seven years, and his bride the daughter of Mr. and Mrs. Spencer Greenlee. Both are highly respected young people and will have the best wishes of a large number of friends.

Mr. and Mrs. Zehner will take a short wedding trip and after May 1 will be at home on their farm in Green township.

**Watson-Wallace.**  
At the U. B. parsonage on Saturday, April 6, Mr. Jacob B. Watson of Bourbon and Miss Hattie F. Wallace of Plymouth were united in marriage, Rev. S. H. Yager officiating. Mr. Watson is one of Bourbon's best blacksmiths, and an energetic young man, who is highly esteemed by all who know him. The bride is the daughter of Mr. and Mrs. Geo. W. Wallace of Plymouth, and a young lady well respected by a large circle of friends.

Mr. and Mrs. Watson will visit for a time among friends and after April 15 will be at home to their many friends in Bourbon. May they have a long and happy life is the wish of their many friends.

### Dill-Morlock.

At the home of and by the Rev. S. H. Yager on Thursday evening, April 4th, 1912 Mr. Glen S. Dill of West township and Miss Estella F. Morlock of Plymouth were united in the holy bonds of matrimony.

Glen Dill is the son of Mr. and Mrs. George Dill, well to do farmers of Marshall county, and a young man that is esteemed and noted for his energetic life. Miss Estella Morlock is the daughter of Mr. and Mrs. George P. Morlock, one of our obliging implement dealers, and a young lady highly respected and dearly loved by a large circle of friends.

Mr. and Mrs. Dill will visit for a time among friends and after May 1st they will locate on their farm in West township where they will be at home to their many friends. May they have a long and happy life is the wish of all who know them.

### Storms-Bender.

Mr. James C. Storms of Mishawaka and Miss Louisa A. Bender of West township were married at the home of the bride's parents, Mr. and Mrs. Joseph Bender, near Sligo, on Sunday at one o'clock in the afternoon. A company of about thirty witnessed the ceremony, which was performed by D. E. Vanvactor of Argos. After the wedding a sumptuous dinner was served to all. Those present besides the Bender family were:

Mr. and Mrs. W. H. Murphy, Mr. and Mrs. Isaac Spittler and daughter Fern, Mr. and Mrs. Howard Murphy, Mr. and Mrs. S. A. Gara, and son Mark, all of Plymouth; Mr. and Mrs. J. C. Reed and daughter Daisy, Mr. and Mrs. C. H. Shafford, of West township; Mr. and Mrs. Frank Storms of Mishawaka. The new couple will live at Mishawaka.

## TO DEDICATE TABERNACLE FOR SERVICE

**CHRISTIAN CHURCH PEOPLE WILL HOLD IMPORTANT CEREMONY NEXT SUNDAY FOR PUBLIC.**

### A CENTER FOR ALL PEOPLE

**Evangelists Return From Funeral Trip To Ladoga—Sermons Are Impressive and Stirring City.**

Arrangements are being made to dedicate the new Christian Church Tabernacle as a building for social service. The town has long felt the need of a building centrally located where young people can meet in a social way, where church dinners can be served and where large mass meetings can be held.

This need will be largely met by the tabernacle where the great revival is now in progress. The building is made of rough material, which will not be harmed by scratches, and can be splendidly utilized as social headquarters for the young people.

It can comfortably seat over 500 people and has twice held an audience of about 600. The large platform banked chorus seats, orchestra pit and abundant lights make it a commodious and cheerful place for commencements, concerts, and public lectures.

It is the desire of the Christian people to keep this building for use and not to have it locked up throughout the week.

Next Sunday the people of the town will be invited to share the privilege of helping on the good work and it is expected at a single service to raise the money to pay for the building.

### Distinctly Creditable.

The Bremen Enquirer, speaking of Plymouth's new factory says: "It is a considerable bonus to pay for an industry, but if the factory makes good the promises of Mr. Miehle it is a good investment. In addition, the promptness with which it was raised is distinctly creditable to the progressiveness and public spirit of the people of Plymouth."

Miss Ina Hoover of South Bend spent Sunday with the family of Noah Hoover on west Garro street.

## CITY COUNCIL HOLDS SESSION MONDAY NIGHT

**COMMERCIAL CLUB ASKS FOR SEWER OUTLET FOR NEW FACTORY—WATER MAIN EXTENSIONS**

### NEW FIRE ALARM SYSTEM

**Subject of Chickens Running At Large, Stray Dogs, Sunk Side-walks, and Various Other Matters Before the Meeting.**

Monday's session of the City Council was an important one in several ways. The Fire Alarm question was discussed, Mr. Maule, representing the Gamewell system being present. This is the system that is in use in the big majority of cities, and is approved by the Insurance people the world over. The Council will have an adjourned meeting on Tuesday evening to learn more of the workings of this system.

The Commercial club waited on the Council, and explained, through their spokesman, C. A. Bondurant, the needs of the new factory, and what would be necessary for the city to do in making the approaches to the factory site satisfactory. The laying of water mains to the city limits was also presented, and the question of outlet for their sewer system needed to be looked after. The city civil engineer, W. H. English was instructed to proceed forthwith to ascertain for the club what facilities can be had for sewer outlet. The committee on streets and alleys will look after the work in that department, and the water mains will receive the attention of the proper committee. The Council is disposed to do what is right and proper to assist in getting the new factory well established, and will use all proper means to secure the desired result.

The routine business of the Council was attended to in order. A petition from Sherman Orr to tap Thayer street sewer was granted under the usual restrictions. Low and uneven places in sidewalks that were complained of were ordered looked after and fixed. A request made for extension of water pipes on Washington street was received, and referred to the works committee for report. The dog nuisance was given an airing, and the chicken question was discussed. In some localities chickens are allowed to annoy whole neighborhoods contrary to the city ordinances and there is much complaint.

The building at the cemetery is not yet finished, and the chairman of that committee requested the co-operation of the entire council in ascertaining what is still to be done, and then inducing the contractor to finish his work at once. City water will soon be piped to the cemetery, and the committee was directed to secure prices on mowers for use at the cemetery.

The County Treasurer reported as follows:  
Rec'd 1st installment of taxes up to March 31...\$1337.30  
Rec'd from Delinquent taxes 41.70  
Total .....\$1379.00

### Plymouth Boy On Indiana Team.

In the opening game of the season on Indiana was beaten by Illinois by a score of 3 to 4. Frank Martindale, "Barney" as he is known to all the fans here about, played center field for his school, and was one of the lucky men who crossed the plate with a score. Frank did not come home for the vacation this spring, but went through the try-out for a position on the team, and was good enough to be put on. He has many friends in the base ball lovers of Plymouth who will be pleased to know he has made good. This implies that he has made good in his studies as well, for no man below grade gets on the squad.

Mrs. Emanuel Price has gone to visit her old home at Kawanna for a few days. After being in Florida all the winter she wants to see old friends again.

### Last of the Old Palmer Building.

The old building east of the Plymouth Inn, known for many years as the Charles Palmer furniture store building, was bought by Harry Buck, and a year ago taken down, and the lumber sorted and piled up. This winter it was sold to Tom Himes, and used by him in a building to be occupied as a broom factory.

Much of the lumber was of the finest quality, hard to find in these days when the best timber has all been cut out. With the lumber moved off, workmen Saturday were busy hauling away stone from the old foundation walls. It was a sight to see how hard the old mortar held the stones. That wall was built right. It was put there to stay, and took work to get it torn down. Just how long it has stood there is not known, but the "oldest inhabitant" would have to be called upon, and then the precise date might be hard to find. However, it has stood there so long that the ordinary business man of the day cannot remember when it was built, but it proves that the workmen of that bygone time knew as much as our mechanics do today about building a stone wall.

It is another landmark gone, and at any day we may look for a modern building to occupy the site.

### Grand Jury Case Filed.

The State vs. Joseph Tedrow is the way it reads, and the complaint is for selling tobacco to a child under sixteen years of age. Mr. Tedrow does not keep a store, but lives in the country about half way between Bremen and Bourbon.

## BAD FIRE AT TYNER BURNS TWO BUILDINGS

**WHOLE TOWN NARROWLY ESCAPES DESTRUCTION FROM BAD BLAZE—BUCKET BRIGADE DOES WORK.**

### HOME AND BARN PERISH

**Rachel Kreighbaum Carried From Blazing Building—Barn of Klingerman Gone, Bradley Bros. Shop Damaged.**

### Special to the Republican:

A bad fire at Tyner breaking out at 12:30 Tuesday p. m. threatened destruction to the whole town. It started in the home of Rachel Kreighbaum, spread to the house and barn of Chas. Powell, the barn of Jacob Klingerman, and to the shops of Bradley Bros.

Mrs. Kreighbaum's house was soon destroyed in spite of the efforts made to save it. She is an elderly lady, and was found lying in bed reading, at the time the fire was discovered by neighbors. They got her from the house, but could not save the building.

The fierce wind that was blowing carried the fire in a sweep to the house and barn of Charles Powell, which however, was saved. The fire fighters could not save the barn of Jacob Klingerman, and only by the severest work kept the Bradley Bros. shop from going. Once they were driven back from the burning building and gave up hope. Then, with various contrivances for protecting their heads, they made a final brave effort and succeeded in conquering the fire.

The Moore elevator was in the direct path of the fire, but did not catch. If it had, the most of the town would have been swept away with the high wind fanning the flames.

Mrs. Kreighbaum had no insurance on her house or contents. The fire started, it is thought from a defective flue in her building. The other buildings were insured.

### Preaching at Twin Lakes.

Rev. A. S. Kiasge will preach at the Twin Lakes church Sunday morning, April 14.

Mr. and Mrs. Harry Kirkpatrick of Bremen are in the city, having some business regarding an estate to settle up.

## WILL PUSH THE WORK ON FACTORY GROUNDS

**Commercial Club and City Council Join in Efforts to Get Building Ready For Robert Miehle & Son Manufacturing Plant.**

The Commercial club in a special meeting Monday night ordered the board of directors to go ahead and spend the \$17,825 which the club had agreed to give to the new factory. After this the board, then in session, made the necessary resolutions covering the expenditures.

One of these was an order for the side track of the Pennsylvania to cost \$2180. This track will, according to the blue prints, come from the east across the fill leading up to the factory site, and will be on a level with the present tracks. A platform for loading will be built out from the factory to the switch.

The club went before the council, then in session, and asked that the streets be graded up to the factory grounds, that walks be ordered built, that arrangements be made for proper sewerage, and that water mains be extended to the site so that plenty of water can be had for the use of the factory. In all these things the council gave ready and willing cooperation. They ordered that the city engineer make surveys at once to determine the best way to secure sewer connections, street grades and sidewalk locations. This work was done by Mr. English Wednesday.

It is probable that sewer connections will be made with Sophia or Williams street.

It was ordered by the board of directors that Arthur W. O'Keefe have charge of the work of repairing the factory now on the ground. He was to begin the work at once and rush it to completion as fast as possible. Work on clearing the building of the machinery, etc., had already been begun.

It is the will of the board and the club, and also is Mr. O'Keefe's intention to divide the orders for supplies and work just as far and as fairly as possible among the helpers on this factory proposition. The erection of the new buildings will be let by contract and, of course, will be a far greater work than that of the present repairs on the old building.

April 4—The contracts for the coming of the Robert Miehle & Son Manufacturing Co. to Plymouth were signed today by the directors of the Commercial club and the matter is settled. The company had already signed the contract and it only remained for the club to accept.

At the regular meeting last night every point of the contract was gone over by the directors and also by other members, and it was concluded that it was satisfactory, and should be accepted.

Mr. Bondurant had been in Chicago for four days getting the contract prepared in terms satisfactory to Mr. Miehle and also to the club.

The more Mr. Bondurant learned about Mr. Miehle the greater was his regard for him as a man and as a business factor in the city of Chicago. "Mr. Miehle stands ace high in Chicago," said Mr. Bondurant. "Plymouth should feel very proud of the man who is coming here. He stands among the very top of Chicago financiers as a business man. His integrity is unquestioned anywhere, and his success has been remarkable."

The feeling is general that Plymouth can depend absolutely on having in Mr. Miehle a thoroughly honorable man who will do the square thing by us, and we should do the square thing by him.

There were thirteen new applications for membership reported by Frank Brooke, of the membership committee. All were elected to membership in the club.

The draft for the payment for the McCallum plant was sent to Chicago today and so that part of the matter is also closed, and the property is the property of the Commercial club.

Within a few days work will begin on the repairs of the build-

ing now there and also on the foundations of the new part of the plant.

**More Donations.**  
The following additional donations have been made for this factory:  
Rev. J. Tremmel, \$25.00.  
Carl Strombeck, \$15.00.  
Welcome Miller, S. C. Rhinehart, Wm. Hahn and Wm. Hampton each \$10.00.  
Norman Myers, \$5.00.

### WEST COMMENCEMENT.

**Second Annual Graduation Exercises of High School and Eighth Grade Pupils.**

The second annual commencement of the West township High school and Eighth grade graduates was held in the West High school building Saturday night. There was only one High school graduate, but twenty Eighth grade graduates.

Dr. Jonathan Rigdon, president of Winona college, delivered the address. His topic was "The Aristocracy of Work." Those who heard it declare it to be one of the best addresses ever delivered in Marshall county. The Seybold orchestra of Plymouth furnished excellent music for the occasion.

The High school graduate was Harry York, and he was presented by Principal C. E. McClure. The Eighth grade graduates were presented by A. L. Garl. York's motto was: "Nulli Secundus;" his colors, old rose and cream; his flower, American beauty rose.

The school has closed a very successful year, the attendance is the High school being almost double that of last year. Agriculture has been added to the course of study. Mr. McClure, the principal is a graduate of Valparaiso and also of the State Normal school. He will do graduate work in Chicago University this summer.

### Program.

Overture, The Golden Dawn..... Mackie Beyer  
Grand March, Imperial Eagle.....

Sousa  
Melody in F.....Rubenstein  
Orchestra

Address, Aristocracy.....  
.....Dr. Jonathan Rigdon  
"Dixie Gems".....G. B. McFall

Orchestra  
Presentation of Eighth Grade.....

.....A. L. Garl  
Presentation of Diplomas.....

.....Supt. L. E. Steinebach  
Vocal Solo, Let Us Have Peace.....

.....Lester N. Zumbach  
Presentation of High School Class  
.....Prin. Chas. E. McClure

Presentation of Diplomas.....  
.....Supt. L. E. Steinebach  
Echoes from the Opera.....

.....Mackie Beyer  
Benediction  
National Emblem.....Bagley

Orchestra  
Eighth Grade Graduates.  
Class Motto—"Climb Though the

Rocks be Rugged"  
Ruth A. Bair, Alma Bickel, Orval

Barts, Rena Cast, Robert Day, Roy Rains, Mabel Seymore, Dale Seider, Russel Shearer, Flossie

Smith, Lloyd Day, Floyd Day, Cletas Foreman, Irvin Hamlet, Edward

Larson, Melvin Thomas, Lola Winenger, Charles Winenger, Ivo

Weaver, Iva Wenino.  
Class Colors—Green and White.

Class Flower—Pink Carnation.  
**Will Build New House.**

A. C. Richard has bought of Chas. O. Miller the lot on north Michigan street, next to the residence of Ira Zumbach, and will begin at once to erect a fine new double house. Mr. Richard says this will be one of the best houses in the city. There will be eight rooms in each residence, and all will be fitted with the latest modern conveniences. The heating will be by furnaces.

Job printing at the Republican.